

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 21-41224

BERNARD JOSEPH ALEXANDER, JR.,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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**ORDER DETERMINING THE AMOUNT OF ATTORNEY FEES AND EXPENSES THE  
DEBTOR MUST PAY BASED ON THE COURT'S AUGUST 18, 2021 CONTEMPT  
ORDER, AND JUDGMENT AGAINST THE DEBTOR**

This case came before the Court for two telephonic hearings, held on July 28, 2021 and August 18, 2021, on the Chapter 7 Trustee's motion entitled "Motion For Contempt of Court" (Docket # 28, the "Motion"). Confirming action taken by the Court during the August 18, 2021 hearing, and for the reasons stated on the record by the Court during that hearing, the Court entered an Order on August 18, 2021 (Docket # 36, the "Contempt Order"), finding the Debtor in civil contempt, for failure to fully comply, on a timely basis, with the Court's Order entitled "Order to Produce Documents and Extending Deadline to File Objections to Debtor's Discharge and Deadline to File Motion Pursuant to 11 U.S.C. §707(b)," filed April 1, 2021 (Docket # 18, the "April 1, 2021 Order").

The Contempt Order provided that "the Debtor must pay some or all of the reasonable attorney fees and expenses incurred by the Chapter 7 Trustee in filing and prosecuting the Motion. The Court will determine, in its discretion, what percentage the Debtor must pay of such reasonable attorney fees and expenses in a future order. The amount of the reasonable attorney fees and expenses also will be determined in a future order, and will be determined by the following procedure: . . ." Following the procedure spelled out in the Contempt Order, the Trustee filed his itemization of fees and expenses, on August 18, 2021 (Docket # 38, the "Itemization"). The Debtor had until September 15, 2021 to "file any objections or response to the Chapter 7 Trustee's itemization." The Debtor did not file any such objections or response.

The Court has reviewed the Trustee's Itemization, and finds and concludes as follows:

A. The fee amount reflected in and supported by the Itemization, in the amount of \$2,242.50, is the amount of the reasonable attorney fees incurred by the Chapter 7 Trustee in filing and prosecuting the Motion. (The Itemization does not itemize or claim any expenses). The Court finds the work performed, the number of hours, and the hourly rate reflected in the Itemization all to be reasonable.

B. In the Court's discretion, and under all the circumstances, the Court determines that the Debtor should be required to pay 50% of the \$2,242.50 fee amount, as an appropriate remedy for the Debtor's civil contempt. The Court discounts the amount of fees that the Debtor must pay,

because of the efforts the Debtor did make, under all the circumstances, to comply with the April 1, 2021 Order.

Accordingly,

IT IS ORDERED that:

1. The Debtor must pay to the Trustee the sum of \$1,121.25. The Debtor must pay such amount no later than October 1, 2021.
2. Judgment is entered in favor of the Chapter 7 Trustee, Michael Stevenson, and against the Debtor, Bernard Joseph Alexander, Jr. in the amount stated in paragraph 1 above, namely, \$1,125.25. If and to the extent the Debtor does not pay this amount to the Trustee on or before October 1, 2021, the Trustee may seek to collect the unpaid amount by any means permitted by law to collect federal court money judgments.

**Signed on September 17, 2021**



/s/ **Thomas J. Tucker**

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**Thomas J. Tucker**  
**United States Bankruptcy Judge**